

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Mark Frost, et al.

v.

Civil No. 09-cv-00339-JL

Town of Hampton, et al.

**PROCEDURAL ORDER: PRELIMINARY INJUNCTION HEARING**

On or before **5:00 p.m., November 23, 2009**, the parties shall jointly file:

- a single timeline setting forth all pertinent dates, times, and events, in whatever format the parties jointly choose (in other words, the parties need not comply with Local Rule 5.1(a) with respect to the timeline);
- a single Statement of Agreed Facts followed by a Statement of Disputed Facts. The disputed facts are not an invitation to advocacy (i.e., "The plaintiff can not establish irreparable harm because....." or "There is a strong likelihood of success on the merits because...."). The parties should simply list facts they intend to establish at the hearing, or which they contend will not be established at the hearing.

On or before **2:00 p.m. on November 24, 2009**, each party shall file:

- a witness list;
- an exhibit list; and
- proposed findings of fact and rulings of law.

Counsel shall confer before the hearing to identify all areas of agreement and disagreement as to the admissibility of each exhibit.

On or before **2:00 p.m. on November 24, 2009**, the plaintiff shall file a proposed proposed order in compliance with Rule 65 and Local Rule 65.1. The order shall specifically address the amount of the bond, if any, under Rule 65(c).

**SO ORDERED.**



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Joseph N. Laplante  
United States District Judge

Dated: November 19, 2009

cc: John Anthony Simmons, Sr., Esq.  
Michael J. Tierney, Esq.  
Dean B. Eggert, Esq.  
Daniel J. Mullen, Esq.